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8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
9 **FOR THE COUNTY OF LOS ANGELES**  
10 **SPRING STREET COURTHOUSE**

11 CECILIA A. RABAYA, individually, on behalf  
12 of all others similarly situated, and as  
representative of the State of California on  
behalf of all aggrieved employees,

13 Plaintiff,

14 v.

15 MABUHAY INTERNATIONAL SERVICES,  
16 INC., a Nevada corporation, JULIET M.  
17 BOXALL, an individual, and DOES 1 through  
20, inclusive,

18 Defendants.  
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Case No. 21STCV47596

**[PROPOSED] ORDER GRANTING  
PLAINTIFF'S UNOPPOSED MOTION  
FOR AN ORDER: (1) APPROVING THE  
SETTLEMENT OF PLAINTIFF'S PAGA  
CLAIMS ON BEHALF OF HERSELF  
AND DISMISSING THOSE CLAIMS  
WITH PREJUDICE; (2) DISMISSING  
PLAINTIFF'S PAGA CLAIMS ON  
BEHALF OF THE OTHER ALLEGEDLY  
AGGRIEVED EMPLOYEES WITHOUT  
PREJUDICE; AND (3) DISMISSING  
PLAINTIFF'S PUTATIVE CLASS  
ACTION CLAIMS WITHOUT  
PREJUDICE**

Judge: The Honorable Carolyn B. Kuhl  
Department: 12  
Complaint Filed: December 30, 2021

**[Filed Concurrently With (a) Notice of Plaintiff's Unopposed Motion and Plaintiff's Unopposed Motion For an Order: (1) Approving the Settlement of Plaintiff's PAGA Claims On Behalf Of Herself and Dismissing Those Claims With Prejudice, (2) Dismissing Plaintiff's PAGA Claims On Behalf Of The Other Aggrieved Employees Without Prejudice, and (3) Dismissing Plaintiff's Putative Class Action Claims Without Prejudice; (b) Memorandum of Points and Authorities in support thereof, and (c) Declaration of Daniel V. Santiago in support thereof]**

The Plaintiff, Cecelia A. Rabaya, filed her Individual, Class Action and Representative Action Complaint ("Complaint") against the Defendants, Mabuhay International Services, Inc. ("MISI") and Juliet M. Boxall ("Ms. Boxall"), on December 30, 2021. Plaintiff's Complaint contains Plaintiff's individual claims, putative class action claims, and representative action claims under the Private Attorneys' General Act of 2004 ("PAGA"), California Labor Code ("Labor Code") §2698 et seq., against the Defendants arising from their alleged violations of the Labor Code and Industrial Welfare Commission Wage Order No. 15-2001.

As used herein and as defined in Plaintiff's Complaint, the term "the Class" is defined as all persons who worked for MISI in the State of California as in-home caregivers or domestic work employees as defined in Labor Code §1451(b)(1) at any time within four (4) years preceding the filing of the Complaint up to and through the date of the trial of the Action. Similarly, as used herein and as defined in Plaintiff's Complaint, the term "aggrieved employees" is defined as all Class members who worked for MISI in the State of California as in-home caregivers or domestic work employees as defined in Labor Code §1451(b)(1) at any time within the time period of one (1) year preceding the filing of the Complaint up to and through the date of the trial of the Action.

Plaintiff has filed an Unopposed Motion for an Order: (1) approving the settlement of Plaintiff's PAGA claims on behalf of herself and dismissing those claims with prejudice; (2) dismissing Plaintiff's PAGA claims on behalf of the other aggrieved employees without prejudice; and (3) dismissing Plaintiff's putative class action claims without prejudice ("Plaintiff's Unopposed Motion").

1 **ORDER**

2 Having considered Plaintiff's Unopposed Motion and related papers filed by Plaintiff's  
3 counsel (Notice of Plaintiff's Unopposed Motion, Memorandum of Points and Authorities in  
4 support of Plaintiff's Unopposed Motion, and Declaration of Daniel V. Santiago in support of  
5 Plaintiff's Unopposed Motion), and good cause appearing for the relief requested therein,

6 **IT IS HEREBY ORDERED THAT:**

7 1. The Court approves of the settlement of Plaintiff's PAGA claims against the  
8 Defendants on behalf of herself (i.e., Plaintiff's PAGA claims as representative of the State of  
9 California on behalf of herself as an allegedly aggrieved employee) for Two Thousand Dollars  
10 (\$2,000) to be paid as follows: (a) One Thousand Five Hundred Dollars (\$1,500) to the Labor and  
11 Workforce Development Agency ("LWDA") (i.e., 75% of the PAGA settlement); and (b) Five  
12 Hundred Dollars (\$500) to the Plaintiff (i.e., 25% of the PAGA settlement).

13 2. The aforementioned settlement payments to the LWDA and Plaintiff shall be made  
14 in accordance with the terms of the parties' Confidential Settlement Agreement and Mutual Release  
15 of All Claims ("Settlement Agreement"), a copy of which is attached as Exhibit 1 to the Declaration  
16 of Daniel V. Santiago in Support of Plaintiff's Unopposed Motion.

17 3. Plaintiff's PAGA claims against the Defendants on behalf of herself are hereby  
18 dismissed with prejudice.

19 4. Plaintiff's PAGA claims against the Defendants on behalf of the other aggrieved  
20 employees (i.e., Plaintiff's PAGA claims as representative of the State of California on behalf of the  
21 other aggrieved employees) are hereby dismissed without prejudice.

22 5. Plaintiff's putative class action claims against the Defendants are hereby dismissed  
23 without prejudice.

24 6. In accordance with the parties' Settlement Agreement, Plaintiff shall file a Request  
25 for Dismissal with prejudice of all of Plaintiff's remaining claims against the Defendants (i.e., her  
26 individual claims against the Defendants other than her PAGA claims and putative class action  
27 claims) as soon as possible after the entry of this Order.

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Dated: \_\_\_\_\_

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The Honorable Judge Carolyn B. Kuhl  
Judge of the Los Angeles Superior Court